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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,608	05/24/2002	Jan Gerard Snip	PTT-136(402656US)	3453

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EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2643

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7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/069,068

Applicant(s)
Jan Gerald Snip et al.

Examiner
Melur. Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 24, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 7 6) ☐ Other:

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10/069 068

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7, 11-17, 18-21, 22-25, are rejected under 35 U.S.C 102(b) as being anticipated by Gordon (US PAT: 4,713,837).

Regarding claim 1, Gordon discloses a method of for activating a local terminal connectable to a first network, characterized by the steps: a server (20, fig. 1) transmits via second network (32) an activation code to a local activation module (16) which is connected to a second network on the one hand and to the local terminal (18) on the other hand, after receiving the activation code, the activation module activates the terminal (col. 6 lines 51-68, col. 7 lines 1-8).

Regarding claim 11, Gordon provides a system for activating a local terminal connectable to a first network (24, fig. 1), characterized by local activation module (16) which is connected to a second network (32, col. 4 lines 28-30) in the one hand and to the local terminal (18) on the other hand, which activation module activates the terminal after receiving an activation code (col. 6 lines 51-68, col. 7 lines 1-8).

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Regarding claim 22, Gordon further discloses server (20, fig. 1) in that it comprises selection means for activation in various ways of a local terminal connected to a first network (24) by connecting to a second network (32) various network nodes (6) each with a different identifier (col. 4 lines 20-68, col. 5 lines 1-15).

Regarding claims 2-5, 7, 12-21, 23-25, Gordon further teaches the following: the activation module also activates connection between the local terminal (18) and the server (20), via the first network (24) the server further activates the terminal (col. 7 lines 8-21), activation code also comprises a message that is sent to by the server (20) with the activation code to the activation module (16) and that can be read by the terminal, after having been activated by the activation module, message is a notification message, notification message relates to a message that is waiting in the server (20) to be read by the user of the terminal, the message waiting in the server is an e-mail message (col. 6 lines 51-68, col. 7 lines 1-8), the second network passes on to the activation module the identifier of the node (6) via which the server (26/28) connects to the second network, characterized in that the activation module records the identifier and activation module activates the terminal in accordance with the value of the recorded identifier (col. 6 lines 51-68, col. 7 lines 1-8), connecting to the second network (32) via various nodes (6, fig. 1), each with a different identifiers, in accordance with the values of the identifiers recorded by the activation module (16, col. 6 lines 51-68, col. 7 lines 1-8), first network (24) and second network (32) are separate networks (fig. 1), second network and first network are constituted by at least partially same network (24), server (20) comprises means for making connection with an external

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terminal (for example 34) or server and being controlled by that external terminal or server on the basis of control parameters (col. 6 lines 12-24), local terminal (18) controls further devices (for example 19) , activation module or server controls the further devices, activation module and /or local terminal are integrated with the further devices , devices are domestic devices (col. 5 lines 51-68, col. 6 lines 1-8, lines 35-51).

3. Claims 9-10, 26-30, 34-35, are rejected under 35 U.S.C 102(b) as being anticipated by Mobin (WO 99/35805).

Regarding claim 9, Mobin discloses method of activating a local terminal connectable to a first network (11, fig. 1) whereby a second network connected to (18, fig. 1) passes on to an activation module (for example 12, fig. 1) an identifier of a node via which server connects to the second network , characterized by the steps: the activation module records the identifier, the activation module activates the terminal in accordance with the recorded identifier (pages 8-11).

Regarding claim 26, Mobin further discloses module for making a connection between a terminal (12, fig. 1)) and a server (50, fig. 1) via network, characterized by means of receiving activation code from a server followed by an activation of the terminal (pages 8-11).

Regarding claims 10, 27-30, 34-35, Mobin further teaches the following: server (50, fig. 1) for activation of the terminal in a variety of ways, connects to the second network connected to (18, fig. 1) via various nodes (for example 45) each with different identifiers, means (18, fig. 1) activate the terminal in accordance with the value of the received activation code, the value of the received activation code comprises an identifier of a network node, activation code also comprises

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a message and module comprises means (18) for passing on that message to the terminal, message is a notification message that relates to a message stored in the server, module is implemented as a hardware/software (pages 8-11).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6, 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon in view of Smith et al. (US PAT: 6,333,937 B1, filed 4-23-1997, hereinafter Smith).

Regarding claims 6, 8, Gordon does not teach the following: the message/message waiting is an SMS message.

However, Smith discloses integrated message center which teaches the following: the message/message waiting is an SMS message (col. 9 lines 6-11).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Gordon's system to provide for the following: the message/message waiting is an SMS message as this arrangement would enable the user to obtain messages of different kind as taught by Smith, thus enabling the user to obtain different message types.

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6. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mobin in view of Smith.

Regarding claim 31, Mobin does not teach the following: the message is an SMS message.

However, Smith discloses integrated message center which teaches the following: the message is an SMS message (col. 9 lines 6-11).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Mobil's system to provide for the following: the message is an S.M.S message as this arrangement would enable the user to obtain messages of different kind as taught by Smith, thus enabling the user to obtain different message types of messages.

7. Claims 32-33, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mobil in view of Randall et al. (WO 91/13510, hereinafter Randall).

Regarding claims 32-33, Mobil does not teach the following: means for detecting terminal status code, relating the status of the terminal and passing on of that status code via the network to the server, status code indicates whether the terminal is active or inactive.

However, Randall discloses communication network and communication device which teaches the following: means in (3, fig. 1) for detecting terminal status code (reads on polling signal, relating to the status of the terminal (3) and passing on of that status code via the network to the server (9, fig. 1), status code indicates whether the terminal is active or inactive (page 4 lines 27-30).

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Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Mobil 's system to provide for the following: means for detecting terminal terminal status code, relating the status of the terminal and passing on of that status code via the network to the server, status code indicates whether the terminal is active or inactive as this arrangement would facilitate to receive messages stored in a server when the terminal is ready to receive the messages as taught by Mobil, thus facilitating message reception efficiency from server.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on Monday to Friday from 7 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).



Melur. Ramakrishnaiah

PRIMARY EXAMINER

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